

OLMS Fact Sheet



Filing Form LM-30

An Overview of Union Officer and Employee Reporting

The Labor-Management Reporting and Disclosure Act (LMRDA) requires union officers and employees to file a Form LM-30 *Labor Organization Officer and Employee Report* to make public any actual or likely conflict between their personal financial interests and their obligations to the union and its members. If union officers and employees have directly or indirectly held any legal or equitable interest in, received any payments from, or engaged in any transactions or arrangements with certain employers or businesses, they must file the Form LM-30 with the Department of Labor's Office of Labor-Management Standards (OLMS).

The LMRDA was enacted to ensure basic standards of democracy and fiscal responsibility in private sector labor organizations. This fact sheet includes general information about the requirements for filing Form LM-30. Specific reporting information, detailed instructions for completing the report, and information on filing Form LM-30 with the Electronic Forms System (EFS) are available on the OLMS website at www.olms.dol.gov.

Who Must File a Form LM-30

Union officers or employees (except employees performing exclusively clerical or custodial services) must file a Form LM-30 if they or their spouses or minor children (less than 21 years of age) either directly or indirectly received certain payments, held certain interests, or engaged in certain transactions involving: (1) the employers whose employees the union represents or actively seeks to represent (*i.e.*, the represented employer); (2) businesses, such as vendors and service providers, that buy from or sell to such employers, the official's union, or the union's trust; and (3) other employers from which a payment could create a conflict. A union officer or employee is required to file the Form LM-30 only if he or she engages in a reportable transaction or holds a reportable interest.

For purposes of the Form LM-30, an individual who serves the union as a union steward or as a similar union representative, such as a member of a safety committee or a bargaining committee, is not considered to be an employee of the union by virtue of service in such capacity.

An officer of a parent body (*i.e.*, a national, international, or intermediate union) must report payments from the represented employer of a subordinate affiliate union, as well as payments from or interests in a business that buys from or sells to a subordinate affiliate union, its trust, or its represented employer. Employees of a parent body are only required to report payments from entities that have relationships

with the subordinate levels of the union if the employee has significant authority or influence with respect to subordinate affiliates of the union. Parent body officers and employees are also required to report conflicts of interest involving their own level of the union.

General Exclusions

Financial holdings

Reports are not required on bona fide investments in securities traded on a registered national securities exchange, in shares of a registered investment company, in securities of a registered public utility holding company, or on any income from such bona fide investments.

Holdings of, transactions in, or income from, securities not listed or registered as described above are not reportable if the holdings or transactions involve \$1,000 or less and the income received from any one security is \$100 or less.

These exceptions do not apply to gifts of stock from an employer or business in the three categories described in the preceding section of this fact sheet. Reports on such gifts are required.

Gifts or loans of small value

Any payments or gifts totaling \$250 or less from any one source do not have to be reported. Payments or gifts valued at \$20 or less do not need to be included in meeting the \$250 threshold.

Meals or other benefits received from attending one or two widely-attended receptions, meetings, or gatherings in a single fiscal year for which an employer or business has spent \$125 or less per attendee per gathering is not reportable and the amount is not included in determining the \$250 threshold. However, if three or more such events are attended, the value of all such events must be counted toward the \$250 threshold.

Completing Form LM-30

Items 1 through 5 and Item 15 (Signature and verification) must be completed by all filers. The remainder of the form is divided into Parts A, B, and C. Which Part or Parts you are required to complete depends on the type of activities or interests that you are reporting. You must complete a separate Part A, B, and/or C for each entity or transaction you are reporting.

Part A — Represented Employer

You must complete Part A (Items 6 and 7) if you, your spouse, or your minor child have any of the following interests or dealings related to an employer whose employees your union represents or is actively seeking to represent:

- hold any securities (except exempt securities as discussed above) or other interest in such an employer;
- have any income or other benefit from such an employer (except wages or other benefits received as a bona fide employee);
- have a part in any transaction involving securities (except exempt securities as discussed above) or other interests in, or loans to or from, such an employer; or
- have any business transaction or arrangement with such an employer.

Part A Specific Exclusions

Wages received as an employee of the employer with whom the union has a collective bargaining agreement

Payments and benefits received as a bona fide employee of the employer for past or present services are not reportable. This includes “union leave” and “no-docking” payments (compensation paid to union officials by their employers for time spent representing the union on labor-management relations matters). These payments are not reportable. Transactions involving purchases and sales of goods and services from the employer in the regular course of business at prices generally available to any employee of the employer are also not reportable, unless they involve

loans to or from the employer or transactions involving interests.

Examples under Part A

- You are a union employee and your minor child receives 100 shares of stock as a high school graduation gift from the represented employer. You must report the stock.
- You are a union officer and your husband receives a loan from the represented employer. You must report the loan.
- You are a union officer who, pursuant to a collective bargaining agreement, continues to receive your salary and benefits from the represented employer while conducting work for the union. Your salary and benefits are not reportable.

Part B — Business

You must complete Part B (Items 8 through 12) if you, your spouse, or your minor child held an interest in or received income or other benefits from a business which meets either of the following two conditions:

- a substantial part of the business consists of buying from, selling or leasing to, or otherwise dealing with the business of a represented employer; or
- any part of the business consists of buying from, selling or leasing directly or indirectly to, or otherwise dealing with your labor organization or a trust in which your labor organization is interested.

Part B Specific Exclusions

You are not required to report bona fide loans, including mortgages, received from national or state banks, credit unions, savings or loan associations, insurance companies, or other bona fide credit institutions, if the loans are based upon the credit institution’s own criteria and made on terms unrelated to your status in the labor organization.

Additionally, you are not required to report other marketplace transactions with such bona fide credit institutions, such as credit card transactions (including unpaid balances) and interest and dividends paid on savings accounts, checking accounts or certificates of deposit if the payments and transactions are based upon the credit institution’s own criteria and are made on terms unrelated to your status in the labor organization.

Examples under Part B

- You are a union officer. Your wife owns an accounting firm and last year a substantial part of the income of her firm was from the represented

employer. Your wife's interest in the accounting firm and any payments or benefits she received from it are reportable.

- You are an officer of a district council and your wife owns and operates a small catering business. Your union purchases catering services from your wife's business during the fiscal year. Your wife's interest in the catering business and any payments or benefits she received from it are reportable.
- You are an officer of an international union. You and your husband own a printing company that prints the union magazine and other material for locals affiliated with your international union. You and your husband's interest in the printing company and any payments or benefits you received from it are reportable.
- You are a union officer whose union holds loans issued by, and conducts transactions with, First State Municipal Bank. You have funded the purchase of your home with a mortgage loan issued by this bank. The terms of the loan reflect the bank's criteria and were unrelated to your status in the union. Your union is not the representative of the bank's employees and it is not actively seeking to represent them. You are not required to report your mortgage.

Part C — Other Employer or Labor Relations Consultant

You must complete Part C (Items 13 and 14) if you received any payment of money or other thing of value from any employer not covered under Part A or B, if the payments from the employer would constitute an actual or likely conflict of interest. Also, you must complete Part C if you received a payment of money or other thing of value from a labor relations consultant to a represented employer or Part C employer.

Such employers include, but are not limited to, an employer in competition with a represented employer, if you are involved with the organizing, collective bargaining, or contract administration activities, or possess significant authority or influence over such activities. You are deemed to have such authority and influence if you possess authority by virtue of your position, even if you did not become involved in these activities.

Employers under Part C also include, but are not limited to, an employer that is a not-for-profit organization that receives or is actively and directly soliciting (other than by mass mail, telephone bank, or mass media) money, donations, or contributions, from your labor

organization. Report payments received as director's fees, including reimbursed expenses.

Information that must also be reported under Part C includes any payments from an employer (not covered by Parts A or B), or from any labor relations consultant to an employer, for the following purposes:

- (1) not to organize employees;
- (2) to influence employees in any way with respect to their rights to organize;
- (3) to take any action with respect to the status of employees or others as members of a labor organization;
- (4) to take any action with respect to bargaining or dealing with employers whose employees your organization represents or seeks to represent; and
- (5) to influence the outcome of an internal union election.

Part C Specific Exclusions

Exempted from reporting under Part C are payments that union officers receive from trusts and unions (other than for staff union officials who receive payments from a union-employer whose employees the staff union represents).

Any payments of the kind referred to in section 302(c) of the Labor Management Relations Act (a list of these types of payments is available on the OLMS website) are not required to be reported, such as regular wage payments to you, your spouse, or minor child, or the sale or purchase of an item at the prevailing market price in the regular course of business. Also bona fide loans, interest, or dividends from banks, credit unions, savings and loan associations, insurance companies, or other bona fide credit institutions, interest on bonds and dividends on stock are not reportable.

None of the exemptions apply to the **five types of per se payments enumerated above**.

Examples of reportable situations in Part C

- You are a union officer and are running for a local public office. Employers in the industry organized by your union make campaign contributions. This is reportable under Part C. (If a contribution were made by a represented employer, you must complete Part A.)
- You are a union employee involved in organizing. An employer in the industry organized by your union

gives you a holiday gift of golf clubs. This is reportable in Part C.

- You are a local union president. An employer outside the jurisdiction of your local offers your 20-year old daughter a paid summer internship on the understanding that you will seek to have your members go on strike against an employer who is one

of their competitors. Your daughter's income and benefits from the internship are reportable.

- You are an officer of a national union. Your wife is hired as a senior executive of an employer on the understanding that your union will not seek to organize that employer. Any payments or other things of value your wife received from it are reportable.

Filing Form LM-30

You can complete and submit the Form LM-30 electronically using the OLMS Electronic Forms System (EFS) or you can print a blank form, complete it manually, and mail it. Using EFS is easier and faster than completing and submitting the form manually. EFS can be accessed on the OLMS website at www.olms.dol.gov. If you choose to file manually, you can download a blank Form LM-30 and instructions from the OLMS website.

Form LM-30 must be signed by the union officer or the employee required to file it. The Form LM-30 is due 90 days after the end of the officer or employee's fiscal year

Public Disclosure of Form LM-30

All reports required to be filed under the LMRDA are public information. You can view and print Form LM-30 reports for the year 2000 and later at www.unionreports.gov. Copies of reports for the year 1999 and earlier can be ordered through the website. In addition, Form LM-30 reports may be examined, and copies may be purchased, at the OLMS Public Disclosure Room at the above address.

Office of Labor-Management Standards Field Offices

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|----------------|--------------------|-----------------|-------------------|----------------|
| Atlanta, GA | Cleveland, OH | Kansas City, MO | New York, NY | Seattle, WA |
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For the address and telephone number of our field offices, please consult local telephone directory listings under United States Government, Labor Department, Office of Labor-Management Standards, or view our online organizational listing at www.dol.gov/olms/contacts/lmskeyp.htm.

OLMS

Office of Labor-Management Standards

U.S. Department of Labor

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